



COUNCIL MINUTES

September 14, 2009

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on September 14, 2009 at 5:45 p.m.

COUNCIL PRESENT

Alex Finter
Dina Higgins
Kyle Jones
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

Mayor Scott Smith

OFFICERS PRESENT

Jack Friedline
Debbie Spinner
Linda Crocker

Vice Mayor Jones excused Mayor Smith from the entire meeting.

Councilmember Somers participated in the meeting through the use of telephonic equipment.

Invocation by Reverend Paul Whitlock, Desert Heritage Church.

Pledge of Allegiance was led by Councilmember Finter.

Mayor's Welcome.

Vice Mayor Jones welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

1. Take action on all consent agenda items.

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Higgins, that the consent agenda items be approved.

Vice Mayor Jones declared the motion carried unanimously by those present.

*2. Approval of minutes of previous meetings as written.

Minutes from the March 23, May 7 and August 31, 2009 Council meetings.

3. Conduct a public hearing prior to release of the petition for signatures for the following proposed annexation:

- 3a. **A09-02 (District 1)** Annexing land located north of McDowell Road and east of Lehi Road, 2701 East Lehi Road (7.65± acres). Initiated by William H. Standage, representative for the Church of Jesus Christ of Latter-day Saints.

Vice Mayor Jones announced that this is the time and place for a public hearing regarding annexing land located north of McDowell Road and east of Lehi Road, 2701 East Lehi Road (7.65± acres).

There being no citizens present who wished to speak on this item, the Vice Mayor declared the public hearing closed.

4. Discuss, take public comment and take action on the following Minor General Plan Amendment and zoning cases:

- *4a. Take action on the following ordinance introduced at a prior Council meeting:

Z09-07 (District 6) 10617 East Oasis Street. Located west of Signal Butte Road and south of Broadway (4.9± acres). Rezone from Maricopa County R1-8 to City of Mesa R1-9. For the establishment of City of Mesa zoning on recently annexed property. City of Mesa, applicant – Ordinance No. 4946.

PHO Recommendation: Approval with conditions.

- 4b. Public Hearing on Minor General Plan Amendment **GPMinor09-02. (District 6) (CONTINUED FROM THE AUGUST 31, 2009 COUNCIL MEETING.)**

Vice Mayor Jones announced that this is the time and place to conduct a public hearing regarding Minor General Plan Amendment **GPMinor09-02.**

There being no citizens present who wished to speak on this item, the Vice Mayor declared the public hearing closed.

- 4c. Take action on the following resolution:

GPMinor09-02 (District 6) 10617 East Oasis Street. Located west of Signal Butte Road and south of Broadway (4.9± acres). Minor General Plan Amendment to change the land use designation from Parks (P) to High Density Residential 10-15 du per acre (HDR 10-15). This case will allow the development of a Supportive Housing Project. MARC Center owner; Saemisch DiBella Architects, applicant – Resolution No. 9561. ***(Held a neighborhood meeting, notified property owners, homeowners' associations and registered neighborhoods.)*** **COMPANION CASE Z09-08. (CONTINUED FROM THE AUGUST 31, 2009 COUNCIL MEETING.)**

P&Z Recommendation: Adoption. (Vote: 4-0-1) Boardmember DiBella abstained. Boardmember Perkinson absent.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Higgins, that Resolution No. 9561 be adopted.

Vice Mayor Jones declared that the motion carried unanimously by those present and Resolution No. 9561 adopted.

4d. Take action on the following ordinance introduced at a prior Council meeting:

Z09-08 (District 6) 10617 East Oasis Street. Located west of Signal Butte Road and south of Broadway (4.9± acres). Rezone from R1-9 to R-3 with a Site Plan Review; also consider the preliminary plat. This case will allow the development of a Supportive Housing Project. MARC Center owner; Saemisch DiBella Architects, applicant – Ordinance No. 4948. ***(Held a neighborhood meeting, notified property owners, homeowners' associations and registered neighborhoods.)*** **COMPANION CASE GPMInor09-02. (CONTINUED FROM THE AUGUST 31, 2009 COUNCIL MEETING.)**

P&Z Recommendation: Approval with Conditions. (Vote: 4-0-1) Boardmember DiBella abstained. Boardmember Perkinson absent.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Higgins, that Ordinance No. 4948 be adopted.

Vice Mayor Jones declared the motion carried unanimously by those present and Ordinance No. 4948 adopted.

5. Take action on the following liquor license applications:

*5a. Choir Boys – LEMC

This is a one-day Charitable event to be held on October 3, 2009 from 11:00 a.m. to 5:00 p.m. at 922 South Country Club Drive. This will be part of the Choir Boys Cuffs Run Special Event. **(District 3)**

*5b. Downtown Mesa Association

This is a one-day Civic event to be held on October 9, 2009 from 6:00 p.m. to 10:00 p.m. at 1 – 270 West Main Street. This will be part of the 2nd Friday Night Special Event. **(District 4)**

*5c. Southwest Valley Regional Association of Realtors

This is a one-day Fraternal event to be held on October 16, 2009 from 5:00 p.m. to 10:00 p.m. at 1363 South Vineyard. This will be part of the Southeast Valley Regional Association of Realtors Special Event. **(District 3)**

*5d. Indias Grill

New Restaurant License for Indias Grill, 1616 South Stapley Drive, Suite 101, Sher Foods Inc. – Rupinder Kaur Brah, Agent. No previous liquor license at this location.
(District 4)

6. Take action on the following contracts:

*6a. Renewal of the Term Contract for Automotive Fasteners, Related Hardware and Electrical Supplies for the Fleet Services Department. **(Citywide)**

The Purchasing Division recommends authorizing the renewal of the contract to Southwestern Supply Company, Inc., a Mesa business, at \$42,000.00 annually, based on estimated purchases.

*6b. Renewal of the Term Contract for Automotive and Heavy Duty Truck Brakes and Wheel Parts for the Fleet Services Department. **(Citywide)**

The Purchasing Division recommends authorizing the renewal of the contract to Arizona Brake and Clutch Supply at \$165,000.00, CW Carter Company at \$7,000.00, and NAPA Auto Parts at \$5,000.00, for a combined total of \$177,000.00 annually, based on estimated purchases.

*6c. Purchase of Four (4) Replacement Heavy Duty Front Loading Refuse Trucks for the Solid Waste Department (Fully Funded by FY 09/10 Replacement Fund). **(Citywide)**

The Purchasing Division recommends authorizing purchase from Rush Truck Center at \$1,117,580.24, including applicable sales tax.

*6d. Term Contract for Stockless Office and Classroom Supplies for Use by all City Departments. **(Citywide) DELETED.**

The Purchasing Division recommends awarding the contract to the highest scored proposal from WIST Office Products at \$975,000.00 annually (Mesa's portion), based on estimated purchases.

*6e. Renewal of the Term Contract for Streetlight Lamps, Luminaires and Components for the Materials & Supply Warehouse. **(Citywide)**

The Purchasing Division recommends authorizing the renewal of the contract with HD Supply Utilities Ltd. at \$165,000.00, North Coast Electric Co. at \$60,000.00 and Border States Electric Supply at \$40,000.00, for a total of \$265,000.00 annually.

*6f. 2008/2009 Waterline Replacement at Various Locations. **(District 5 and 6)**

City Project No. 01-557-007. This project will replace two water mains: 1) An existing undersized aging 8-inch water main in Crismon Road from Main Street to Wood Avenue and 2) An existing waterline near the intersection of Power and Main that was built in a private easement and now has a wall and modular building encroaching on it. The 8-inch in Crismon will be replaced with a 12-inch line, which is the City of Mesa standard size for

a water main in an arterial street. The second new line will be constructed in Power Road, Main Street and Sunaire, where it will be easily accessible for City forces to maintain.

Recommend award to the low bidder, G & G Construction Company, in the amount of \$175,864.75 plus an additional \$17,586.48 (10% allowance for change orders) for a total award of \$193,451.23. This project is funded from the approved FY 09/10 Water Bond Capital Programs.

- *6g. Arizona Museum for Youth Expansion, 35 North Robson. **(District 4) DELETED.**
- *6h. Replace City Well 12 Discharge Pipe to Pasadena Reservoir. **(District 4)**

City Project No. 09-053-001. This project will replace the existing 1950's cast iron pipe from City Well 12 to the Pasadena Reservoir. This aging pipe is brittle and susceptible to breaks. Breaks have been occurring on a frequent basis the past couple of years and recently began escalating with the replacement of the City Well 12 pump. The wells pumping into this reservoir serve as back-up to the Val Vista Water Plant, which will be out of service beginning November 16th for routine maintenance. It is imperative that this line be replaced prior to this dry-up so that the well can meet the area's needs during the plant shutdown.

Recommend award to the low bidder, Spire Engineering L.L.C., in the amount of \$136,180.00 plus an additional \$13,618.00 (10% allowance for change orders) for a total award of \$149,798.00. This project is funded from the approved FY 09/10 Water Bond Capital Program.

7. Take action on the following resolutions:

- *7a. Granting a Power Distribution Easement to Salt River Project on City-owned property in Pinal County – Resolution No. 9555. **(No Council District)**

This easement is being requested by Salt River Project to supply power across City-owned property to the Coolidge Power Corporation.
- *7b. Authorizing the use of eminent domain to acquire property and property rights for the Dobson Road and Guadalupe Road Intersection Improvement Project – Resolution No. 9556. **(District 3)**

In order to meet construction schedule, Immediate Possession is necessary for the remaining 18 properties.
- *7c. Authorizing the use of eminent domain to acquire property and property rights for the Greenfield Road Widening Project – Resolution No. 9557. **(District 6)**

In order to meet construction schedule, Immediate Possession is necessary for the remaining 9 properties.
- *7d. Authorizing granting a telecommunications easement to Qwest Corporation on City-owned property at 845 North Alma School Road, Fire Station 218 – Resolution No. 9558. **(District 1)**

This easement is necessary in order to provide phone lines and services to Fire Station 218.

- *7e. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Phoenix-Mesa Gateway Airport Authority and the City of Mesa for the design, construction and construction management for the relocation of Fire Station 215. The Authority will reimburse the City for the additional infrastructure needed to locate the fire station at the new site near the intersection of Cargo Way and the future Verona Avenue alignment (6353 South Cargo Way). The Authority's share of these improvements is estimated to be \$320,000 – Resolution No. 9559. **(District 6)**
- *7f. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Flood Control District of Maricopa County and the City of Mesa for the design of the Oak Street Basin and Storm Drainage System. Mesa's estimated share of the design cost is \$140,000. Funding is available in the approved FY 09/10 Storm Sewer Bond Program – Resolution No. 9560. **(District 5)**

8. Introduction of the following ordinance and setting September 21, 2009, as the date of the public hearing on this ordinance:

- *8a. **A08-40 (District 5)** Annexing land located on the northeast corner of Hermosa Vista Drive and North Hawes Road. (2.02± acres). Initiated by Stephen Loper, one of the property owners.

9. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen who wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.

- *9a. Amending Section 1-12-8 of the Mesa City Code to authorize the Presiding City Magistrate to appoint Court Commissioners – Ordinance No. 4947.

10. Take action on the following subdivision plat:

- *10a. "SANCTUARY ON ALTA MESA" – **(District 5)** – 1938 North Alta Mesa Drive (west side) located south and east of McKellips Road and Higley Road. 45 R-2 BIZ DMP townhome lots (4.24 acres) R.S.B. Partners, LLC, Ross Farnsworth, Jr., manager, owner; Shane Kobialka, SVK Engineering, Inc., engineer.

11. Items from citizens present.

There were no items from citizens present.

12. Adjournment.

Without objection, the meeting adjourned at 5:55 p.m.

KYLE JONES, VICE MAYOR

ATTEST:

LINDA CROCKER, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 14th day of September 2009. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

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